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Among the Voices of the French Revolution: Olympe de Gouges' Political and Legal Pamphlets

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Among the Voices of the French Revolution: Olympe de Gouges' Political and Legal Pamphlets

Julie Rocheton*

Abstract

This article explores the often overlooked political and legal pamphlets of Olympe de Gouges, a French revolutionary thinker whose contributions extend far beyond her renowned *Declaration of the Rights of Woman and the Female Citizen*. In her prolific writings between 1788 and 1793, de Gouges crafted a nuanced blueprint for social justice aimed at protecting vulnerable populations, advocated for women's rights, and proposed progressive reforms in family and criminal law. Her work consistently foregrounded themes of equality, civic responsibility, and the moral obligation of the state to support its citizens, particularly those marginalized by poverty, gender, and social hierarchy.

Throughout her writings, de Gouges was both ahead of her time and constrained by it. Her proposals embodied an Enlightenment-inspired belief in "natural law," which she used to validate her ideas in the face of societal limitations on women's intellectual contributions. While she championed equality, her moral framework sometimes restricted the inclusivity of her proposals, particularly in her critique of women. As a political thinker, her stance towards the monarchy was complex, sometimes even paradoxical. She initially advocated for a constitutional monarchy but adjusted her views as the revolution progressed, mirroring the complexities of the French population's loyalties and the radical shifts of the revolutionary era. This study brings de Gouges' political and social philosophies to light, assessing their historical impact and looking at her pamphlets as a coherent body of work in order to underscore her lasting legacy as a pioneering thinker.

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Unknown author, Marie Olympe de Gouges, veuve Aubry (1748–1793) 1793, watercolor over graphite on paper, source: https://commons.wikimedia.org/wiki/File:Olympe_de_Gouges.jpg (public domain)

Introduction

"Women have the right to mount the scaffold;
they should likewise have the right to mount the rostrum."

Olympe de Gouges[1]

Olympe de Gouges is often considered one of the first French feminists.[2] She is among those whose contributions to history were rediscovered when women's voices started to be excavated from history. Known above all for her *Declaration of the Rights of Woman and of the Female Citizen (Déclaration des droits de la femme et de la citoyenne)*, which offered a women-focused adaptation of the 1789 *Declaration of the Rights of Man and of the Citizen*, she is considered a pioneer of women's rights. Much of the existing literature primarily focuses on her *Declaration of the Rights of Woman* and provides biographical sketches,[3] but her contributions extend far beyond this single pamphlet. Indeed, she was a prolific writer throughout the early years of the French Revolution until her beheading at the beginning of the "Terror" in 1793.

In addition to the *Declaration of the Rights of Woman*, de Gouges' literary oeuvre encompassed many other political and legal pamphlets as well as theater plays. Between 1788 and 1793, she authored a total of 57 pamphlets, offering commentaries on various aspects of the French Revolution. These writings addressed a broad spectrum of topics, including women's rights, state organization, law, criminal trials, and the rights of illegitimate children, among others. They provide invaluable insights into the early period of the French Revolution, serving as direct responses to the events unfolding in front of her eyes. De Gouges' strategic approach to disseminating her writings ensured that her voice was heard and her proposals were widely known throughout Paris and beyond. She rented lodgings adjacent to the main places of power, was a familiar figure in the galleries, and her writing covered the walls of Paris while also being sent to the most important figures of the time, king or politician, without any distinction. She was a self-published and -funded author who made sure her texts were

[1] Gouges, Olympe de, Déclaration des droits de la femme et de la citoyenne, Art. X, in: Ead., *Œuvres complètes, Tome IV: Pamphlets, épîtres, libelles, positions, propositions & autres (1791–1793)*, Montauban, Association des éditions Cocagne 2017, 53.

[2] I want to thank the Centre de ressources Albert Soboul in Vizille, France for allowing me to conduct research and to access their amazing collection.

[3] The most famous biography of de Gouges is Blanc, Olivier, *Olympe de Gouges*, Paris, Syros ed. 1981. Selected bibliography: Groult, Benoîte, *Ainsi soit Olympe de Gouges*, Paris, Grasset ed. 2013; Mousset, Sophie, *Olympe de Gouges et les droits de la femme*, Paris, Pocket 2007; Tulard, Jean and Marie-José Tulard, *Les Égéries de la Révolution*, Paris, Robert Laffont 2019; Lairtullier, E., *Les femmes célèbres de 1789 à 1795: et leur influence dans la Révolution*, vol. I, Paris, chez France, à la librairie politique 1840; *Dictionnaire des femmes des Lumières* (Dictionnaires & Références 25), ed. Valérie André and Huguette Krief, Paris, Honoré Champion Éditeur 2015; Bergès, Sandrine, *Olympe de Gouges*, Cambridge, Cambridge University Press 2022.

accessible to as many people as possible. Hence, all her projects were known and read as she ensured she could not be ignored.[4]

In many ways, Olympe de Gouges can be regarded as both a thinker and a reporter of her time, fearlessly articulating her views despite the unstable circumstances of the French Revolution. As her last pamphlets about Robespierre testify, her voice in dangerous and troubled times stayed strong until the end. Whether praising or ciriticizing, she was among the most vociferous commentators of her time, and refused to be silenced even when her own life was at risk.

This study delves into Olympe de Gouges' often overlooked political and legal pamphlets. Examining these as a coherent textual corpus offers insights into de Gouges' ideas. Moreover, they provide a unique lens through which to interpret the early phases of the French Revolution. For instance, she embodied the ideals of the Enlightenment, frequently grounding her arguments in the concept of nature and presenting herself as its progeny while being a monarchist – a position shared by most French people at the time, at least in the early stages of the French Revolution. The corpus of her pamphlets also deserves attention because her ideas on matters such as pregnancy care, women's health, and marriage anticipated many of the changes that would take place in the following centuries. By reclaiming the complexity of her character and thought, we can discern the evolution of de Gouges' ideas and trace her contributions to legal and social thought. By revisiting the extensive corpus of her pamphlets, this article not only restores her multidimensional character but also sharpens some of our understanding of the French Revolution itself.

This article will begin by exploring de Gouges' identity as she portrayed herself in her writings, delving both into her self-perception and into the image she sought to project. This biographical lens allows us to illuminate the motivation behind most of her writings, as her pamphlets were not only inspired by the events unfolding in front of her eyes, but also rooted in her life story and experiences. Once "Olympe by Olympe de Gouges" is understood, this article will proceed to analyze the political and legal proposals she developed in her revolutionary pamphlets, elucidating recurring themes and concerns that defined her activism. Indeed, at the forefront of her advocacy was her unwavering commitment to championing the rights of women and marginalized individuals, mainly through her efforts to reform family law and improve conditions for the vulnerable members of society. Her pamphlets serve as a testament to her dedication to advancing gender equality and social justice. Moreover, de Gouges' engagement with broader political issues highlights her role as a revolutionary thinker engaging with the complexities of governance and societal organization. Whether addressing matters such as national debt, governmental structure, or the virtues necessary for effective governance, she emerges as a figure deeply involved in the ideological debates of her era.

[4] Bergès, Sandrine, Secrétariat, collaboration et auto-publication dans la France révolutionnaire, in: *Philosophiques* 44,2 (2017), 255–270.

1. Olympe by Olympe de Gouges

Olympe de Gouges was born Marie Gouze in Montauban, southern France, in 1748, the second child of Pierre Gouze, a butcher, and Anne-Olympe Mouisset. However, she asserted that her origins were more complex than this by referring to herself as the daughter of a king's crown with bay leaves, alluding to her biological parentage. In reality, she was the illegitimate daughter of the Marquis Jean-Jacques Le Franc de Pompignan, a literary man and Voltaire's nemesis. Due to her illegitimacy, she did not receive much formal education beyond elementary writing and reading skills, which was the norm at the time for most of the French population. As will be discussed below, the perceived deficiency of her education significantly shaped her trajectory.[5]

At the age of sixteen, de Gouges was married to Louis-Yves Aubry, an older, *petit bourgeois* (lower middle-class) man from her hometown of Montauban. Throughout her writings, de Gouges admitted that her marriage to Aubry had lacked romantic affection; however, she valued their union for one reason: the birth of her son, Pierre Aubry, on August 29, 1766. As a mother, she demonstrated an uncommon commitment to his education, especially for a woman of *petit bourgeois* background. Recognizing the power of literature as a tool for enlightenment, she endeavored to instill in her son the values and principles she believed in, utilizing her own writings as an example he should follow. Her husband passed away a year after her son's birth, granting her the freedom she aspired to.

Following her husband's death, de Gouges met Jacques Biétrix de Roziéres, a rich businessman specializing in military transport, who became her lover. Their relationship was a significant departure from societal norms, certainly in provincial France, and marked de Gouges' first act *contre courant*. Upon relocating to Paris with him, she refused to get married, whether to him or to anybody else with whom she later entered into a relationship. Demonstrating a commitment to her autonomy and independence, she later articulated her views on the institution of marriage through a proposal for a revolutionary social contract between men and women. Despite her stance against marriage, her only moderate libertinage earned her a place among the celebrated list of beautiful and virtuous women of Paris in 1790.[6]

Nevertheless, de Gouges' steadfast rejection of marriage contributed to her reputation as a frivolous woman. She was rumored to have had numerous lovers, including prominent figures such as Louis-Sébastien Mercier, le chevalier de Michel de Cubières, Molé, Joseph Dominique Guiges de Moreton, the actor Talma, Vergniaud, Hérault de Sechelles, and, the most renowned among them, Philippe duc d'Orléans, cousin of Louis XVI. Yet Biétrix de Roziéres was the only paramour she herself confirmed. Olivier Blanc, de Gouges' main bi-

[5] Brown, Gregory S., The Self-Fashionings of Olympe de Gouges, 1784–1789, in: *Eighteenth-Century Studies* 34,3 (2001), 383–401.

[6] *Hommage aux plus jolies et vertueuses femmes de Paris ou Nomenclature de la classe la moins nombreuse*, n. d. [1790?].

ographer, characterizes her as a *"libertine raisonnable."* She operated within a societal milieu where libertinism was fashionable and widespread, particularly within the Parisian court and intellectual circles, where sexual freedom was standard, despite French society's adherence to traditional family ideals.[7] Thus, given the circle in which she moved, the "reasonable" libertine de Gouges was seen as unique by her contemporaries. One of de Gouges' many paradoxes is her defense of legal freedom, i.e. refusing marriage, while distinguishing it from sexual freedom, which she vehemently criticized in her writings.

Utilizing her fresh start in Paris, she changed her name, discarding the designation "widow Aubry" and instead adopting the name Olympe, one of her mother's given names. For her surname, she chose to modify her maiden name, Gouze, and added an aristocratic particle in homage to her biological father, the Marquis Le Franc de Pompignan.

On arriving in Paris, de Gouges attended a few Parisian salons where she was introduced to intellectual circles. She did not become a regular attendant, but nevertheless developed a reputation for her progressive thinking and cleverness.[8] It was during this period that she began to self-identify as a *fille de la nature* ("daughter of nature"), aligning herself with the Enlightenment ideals of natural rights and individual freedom. Concurrently, she began writing theatrical works.

When the Revolution erupted, de Gouges' enthusiasm for politics turned passionate, prompting her to relocate to Versailles to be as close as possible to the unfolding events. It was during this tumultuous period that she began to write pamphlets in order to engage in current political debates. Characterized by immediacy, they serve as a form of phenomenological exploration, making de Gouges one of the first authors to capture the essence of the French Revolution.

While these biographical details may seem anecdotal, they profoundly shaped de Gouges' opinions and ideas. For example, her status as an illegitimate child fueled her advocacy for children's rights and equality before the law. Her experience of a loveless marriage informed her views on the necessity of the possibility of divorce and her belief in marriage as a civil contract. Furthermore, her mother's struggles with poverty instilled in her a deep commitment to addressing the economic plight of women. At the same time, she claimed that her experience of motherhood imbued her with the strength to champion justice and morality.[9] In essence, de Gouges' private life forged her ideas and convictions, shaping her into an advocate for equality, justice, and human rights.

Before delving into de Gouges' political and revolutionary writings, one has to bear in mind that she spent a good portion of her texts justifying herself and what she perceived as her lack of formal education. At times, she defiantly wore it as a badge of honor, while at other times, she apologized for it profusely. Throughout her career, de Gouges faced considerable

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[7] Blanc, *Olympe de Gouges*.

[8] Rau, Allison, *From the Drawing Room to the Guillotine: A Study of French Women's Intellectual Involvement in the Enlightenment*, Dublin, Trinity College Student Theses. Trinity College 2023.

[9] Gouges, Olympe de, *Testament politique d'Olympe de Gouges*, in: Ead., *Écrits politiques, Tome 2* (1792–1793), Paris, Côté-femmes 1993, 234–241.

criticism, mainly because of her gender, the content of her work, or her unconventional often colloquial style. Driven by the impetus of the moment, she developed a diverse rhetorical arsenal to fend off criticism. Her strategy to overcome the 'flaws' in her formal education relied on Enlightenment principles, particularly the concept of nature as defined in 17th- and 18th-century France.

In this philosophical context, nature was associated with morals, feelings, virtue, happiness, order, and freedom. Natural law was understood as the immutable framework guiding societal norms and human behavior,[10] rooted in rationality and reason. All humans shared the same nature, and this was the basis of society. Human nature was defined as reasonable and sociable. According to the Enlightenment thinkers, nature always meant rationality. Nature was the undeniable truth known by all.[11] With Enlightenment philosophy, the philosophical concepts of nature and naturalism became the touchstone for concepts of virtue, the basis for natural laws, and underpinned the expectations of human and societal behavior.[12] Natural law was naturally evident and so innate that its demands had to be satisfied.[13] In de Gouges' political literature, the idea of nature as defined by the French Enlightenment – most prominently by Jean Jacques Rousseau – can be found on every page and used for every purpose.[14] Nature was the framework she felt comfortable in, as it served as a base for her freedom and ideas. Above all, she utilized nature to justify her writing and used it as basis of all her reasoning, as well as to explain her genius. She always counterbalanced her apologies for her lack of formal education with the fact that she was a "daughter of nature" and, therefore, a reasonable and rational thinker. As she put it, she should be considered "a blind woman whom nature has always cared to guide"[15]; "a student of simple nature, left only to its care, it enlightens me so well that you think me perfectly educated."[16] As a true daughter of nature, she wrote in the moment, following events and nature's inspiration: "In my writings, I am the student of nature. Like it, I must be irregular, even strange, but always true, always simple."[17] De Gouges

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[10] Delon, Michel (ed.), *Dictionnaire européen des Lumières*, Paris, PUF 2007.

[11] Barny, Roger, *Le triomphe du droit naturel: la constitution de la doctrine révolutionnaire des droits de l'homme (1787–1789)*, Paris, Les Belles Lettres 1997.

[12] Lenoble, Robert, *Esquisse d'une histoire de l'idée de nature*, Paris, A. Michel 1990.

[13] Varikas, Éléni, Droit naturel, nature féminine et égalité des sexes, in: *L'Homme et la société* 85–86 (1987), 98–111.

[14] Barny, Roger, *Le droit naturel à l'épreuve de l'histoire: Jean Jacques Rousseau dans la Révolution (débats politiques et sociaux): suivie de Montesquieu dans la Révolution* (Annales Littéraires de l'Université de Besançon 593), Paris, Les Belles Lettres 1995.

[15] Gouges, Olympe de, Discours de l'aveugle aux français, in: Ead., *Œuvres complètes, Tome III*: *Pamphlets, épîtres, libelles, positions, propositions (1786–1790)*, Montauban, Association des éditions Cocagne 2017, 189. "Qu'on me considère donc comme une aveugle que la nature a toujours pris soin de guider."

[16] Gouges, Réponse au champion américain ou Colon très aisé a connaître, in: *Œuvres complètes, Tome III*, 225–230, 229. "Élève de la simple nature, abandonnée à ses seuls soins, elle m'a donc bien éclairée puisque vous me croyez parfaitement instruite."

[17] Gouges, Départ de Monsieur Necker et de Madame de Gouges, in: *Œuvres complètes, Tome III*, 265–282, 269. "Je suis dans mes écrits, l'élève de la nature. Je dois être, comme elle, irrégulière, bizarre même mais aussi toujours vraie, toujours simple."

was attempting to reflect on political and historical events from the perspective of legal naturalism while justifying her perspective by saying that, thanks to her lack of formal education, she herself was "naturalistic." Consequently, she put herself outside of normative or political contrivance: "No one taught me, I don't know anything. I wear my ignorance like a badge of honour. The mark of natural genius is in all my productions."[18] Using ignorance as a defense was not an invention of Olympe de Gouges; an appeal to ignorance in order to plead for the reader's mercy was commonly employed for centuries.

By grounding her perspectives in naturalistic principles, de Gouges sought to transcend societal norms and political conventions, positioning herself as an outsider unaffected by traditional constraints even though, in fact, she was a product of her time. Her self-professed ignorance became a badge of honor, symbolizing the authenticity and self-proclaimed genius of her works.

2. Olympe de Gouges' Advocacy for Social Justice

In her political thought, Olympe de Gouges was a progressive thinker but at the same time shaped by her time. One subject she was particularly adamant about was what nowadays would be called social justice, which for her centered on the protection of the most vulnerable. In particular, she vigorously defended women, the underprivileged, and enslaved people, who in her mind were all linked by being dominated by one category of population: powerful white males – whether nobles, members of the clergy, or bourgeois.

Her antislavery beliefs will not be detailed in this article, as she developed them mainly in one of her theater plays, *De l'esclavage des noirs* ("On the Slavery of Black People"). Her abolitionist position predates the French Revolution, as she wrote against slavery as early as 1784; she was also the first woman (and among the earliest members generally) to subscribe to the *Société des Amis des Noirs* ("Society of the Friends of Black People"), founded in 1788 by Jean Pierre Bissot. De Gouges wrote: "This obnoxious slave trade tears my soul, excites my indignation."[19] Her abolitionist position was not shared by the majority of the French, however, and her play brought her into conflict with the Comédie Française and French colonists to the point where she was close to imprisonment in the Bastille.[20] In the corpus of her revolutionary writings, however, the theme of slavery was only mentioned in passing in three of her

[18] Gouges, Observation à Monsieur Duveyrier, in: *Œuvres complètes, Tome IV*, 26–28, 28. "On ne m'a rien appris, je ne sais rien. Je fais trophée de mon ignorance. Le cachet de génie naturel est dans toutes mes productions."

[19] Gouges, Réponse au champion américain, 229. "[C]ette odieuse traite des nègres a toujours soulevé mon âme, excité mon indignation."

[20] Gouges, Les comédiens démasqués ou Madame de Gouges ruinée par la Comédie française pour se faire jouer, in: *Œuvres complètes, Tome III*, 231–256.

1790 pamphlets,[21] where she referred to it to expose the injustice she experienced as a result of her play and to ask for reparation for her unfair treatment by the Comédie Française.[22] The only other time her antislavery position was mentioned in her political writings was to draw a parallel between enslaved people and women, pointing out the similarity of their situation in the world.[23] This was a very liberal position for a French thinker to hold at the end of the 18th century. Despite her infrequent mentions of abolition in her pamphlets, however, it remained a subject dear to her heart, and she never went back on her support of it, not even when the backlash against her play was in full force. At the time, formal equality was on everybody's mind, as the first article of the *Declaration of the Rights of Man and of the Citizen* of August 26, 1789, testifies: "Men are born and remain free and equal in rights. Social distinctions may be based only on considerations of the common good."[24] De Gouges was outraged that some categories of people were not even considered. Unfortunately for her, she did not live to see the end of slavery, as she died a year before the Convention abolished it in February 1794.

Looking at de Gouges' revolutionary pamphlets, a clear blueprint for social justice emerges, which was shaped by her understanding of herself and her background. In the corpus of 57 pamphlets, she developed ideas based on her perception of what France and its people needed. Her social justice project can be articulated around four different lenses: women, family, the most vulnerable members of society, and the administration of justice. At the center of her projects, the same ideals of representation, participation, freedom, and safety are reshaped to fit her focus.

2.1 Olympe de Gouges and Women's Political Rights

Over a century before the French Revolution, Montesquieu observed that it was "a tremendous question among men to wonder if it is more advantageous to take away women's freedom or to let them have it."[25] In the years following the events of 1789, this question became a recurring one. During its first months, women played integral roles in the revolutionary movement: They marched on Versailles, wrote in the *cahiers de doléances* (registries of grievances), stood alongside men during the storming of the Bastille, fought in the streets of Paris,

[21] Gouges, Réponse au champion Américain; Ead., Les comédiens démasqués; Ead., Lettre aux littérateurs Français, in: *Œuvres complètes, Tome III*, 257–263.

[22] Established in 1680, the Comédie Française became a pivotal institution in the theater scene of 18th-century France, serving as the leading establishment for French drama. As a state-supported theater, it upheld the classical tradition. The Comédie Française monopolized dramatic performances in Paris, suppressing competition and often limiting opportunities for emerging playwrights and diverse theatrical expressions.

[23] Gouges, Déclaration des droit de la femme et de la citoyenne, 55.

[24] *Declaration des droits de l'homme et du citoyen, Assemblée nationale Française*, 1789, art.1. "Les hommes naissent et demeurent libres et égaux en droits. Les distinctions sociales ne peuvent être fondées que sur l'utilité commune."

[25] Montesquieu, *Lettres Persanes* no. 38, "C'est une grande question parmi les hommes, de savoir s'il est plus avantageux d'ôter la liberté aux femmes que de la leur laisser."

burned castles in the countryside, and started the October 1789 insurrection. However, as the revolutionary movement became organized and institutionalized, women found themselves excluded from formal political processes. They were denied the right to speak in, or even attend, the National Assembly, political meetings, or clubs. With the adoption of the *Declaration of the Rights of Man and of the Citizen*, they were excluded from the political community, as well as from the right to vote.[26] Decisions of national significance were made without their input or representation. Although the Revolution entrusted women with the task of educating and nurturing future citizens of the republic, paradoxically, they were simultaneously confined to their household role and denied the opportunity to actively participate in shaping the republic's political destiny. If a woman fought for political rights, she was vilified by politicians and public opinion. Thus, in 1793, the day after de Gouges was executed, Pierre Gaspard Chaumet, *procureur* of Paris, said in a speech:

> [a] virago, the man-woman, the brazen Olympe de Gouges, who was the first to establish women's societies, abandoned her household duties, wanted to engage in politics, and committed crimes... All these immoral beings have been annihilated under the avenging blade of the law. And you would want to imitate them? No! You must understand that you will only truly be interesting and worthy of esteem when you are what nature intended you to be. We want women to be respected, which is why we will force them to respect themselves.[27]

The same day, the journal *La Feuille de Salut Public* published a reminder for women:

> Women, do you wish to be republicans? Love, follow, and teach the laws that remind your husbands and children to exercise their rights. Take pride in the glorious deeds they may accomplish in favor of the nation. Be simple in your attire, diligent in your household tasks. Never attend public assemblies with the desire to speak there.[28]

Enlightenment thinkers such as Montesquieu,[29] the Marquis de Sade, and Rousseau, among others, believed women were inferior to men because nature ordained it.[30] Rousseau, in particular,

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[26] Cole, John R., *Between the Queen and the Cabby: Olympe de Gouges's Rights of Woman*, Montreal, McGill-Queen's University Press 2011.

[27] As reported in: *Révolutions de Paris* 216, 27 brumaire an II (17 November 1793), 276–277: "[une] virago, la femme-homme, l'impudente Olympe-de-Gouges qui, la première, institua des sociétés de femmes, abandonna les soins de son ménage, voulut politiquer et commit des crimes… Tous ces êtres immoraux ont été anéantis sous le fer vengeur des lois. Et vous voudriez les imiter? Non! Vous sentirez que vous ne serez vraiment intéressantes et dignes d'estime que lorsque vous serez ce que la nature a voulu que vous fussiez. Nous voulons que les femmes soient respectées, c'est pourquoi nous les forcerons à se respecter elles-mêmes."

[28] Quoted in Groult, *Ainsi soit Olympe de Gouges*, 92. "Femmes, voulez-vous être républicaines? Aimez, suivez et enseignez les lois qui rappellent vos époux et vos enfants à l'exercice de leurs droits. Soyez glorieuses des actions éclatantes qu'ils pourront compter en faveur de la patrie. Soyez simple dans votre mise, laborieuses dans votre ménage. Ne suivez jamais les assemblées populaires avec le désir d'y parler."

[29] Goyard-Fabre, Simone, *La philosophie du droit de Montesquieu*, Paris, C. Klincksieck 1973, 272–273.

[30] McMillan, James F., *France and Women, 1789–1914: Gender, Society and Politics*, London/New York, Routledge 2000. Goldzink, Jean, Les droits naturels dans l'œuvre de Montesquieu, in: *La famille, la loi, l'état: de la Révolution au Code civil*, ed. Iréne Théry and Christian Biet, Paris, Centre Georges Pompidou 1989, 11–21, 11–12.

believed that women should not participate in the affairs of the world beyond the home.[31] Using Galen's medical paradigms, Rousseau argued that men were strong and active, while women were weak and passive. The inescapable law of nature was that women had been made to please men, while there was no corresponding obligation on men to please women, since their virtue resided in their superior power.[32] However, not all men dismissed women; figures like Guyomar, Sieyès, or Condorcet often took to the stand to advocate for women's instruction and political equality.[33] Condorcet, in particular, played a significant role in introducing de Gouges to the intellectual circles of Paris, serving as a facilitator and close friend.[34] Condorcet recognized de Gouges' intellect and potential despite her lack of formal education. Nevertheless, the pervasive belief in women's innate inferiority posed a formidable obstacle to the advancement of women's political rights during the Revolutionary era.

Olympe de Gouges was painfully aware of the prejudices faced by women and expressed her hope that "one day, women will be able to escape the horror of poverty by receiving the rewards due to their talents. And I dare to say that by elevating their sex, decency will be restored."[35] Women should come together to overcome male domination.[36] De Gouges argued that women should play an active role in the Revolution and the country's administration. In 1791, she wrote a *Projet adressé à l'Assemblée Nationale* ("Proposal Addressed to the National Assembly") recommending the establishment of a female national guard tasked with protecting the queen and advising her on the state of the nation. That guard would replace the queen's court and defend her from both internal and external dangers while opening the queen's eyes to the situation of the country.[37] The queen's female guardians would therefore not only ensure her safety but also function as her political advisors.

However, de Gouges' most significant contribution to women's rights was her *Declaration of the Rights of Woman and of the Female Citizen*. In a confident and direct style, she begins by accusing the revolutionaries of excluding women from the Revolution's benefits and of perpetuating male dominance.

> Man alone has made a principle out of this exception. Bizarre, blind, bloated with science and degenerated, in this century of enlightenment and wisdom, into the crassest ignorance, he wants to command

31 Mcmillan, *France And Women, 1789–1914*, 10.
32 Ibid.
33 *La famille, la loi, l'état*.
34 Blanc, Olivier, Cercles politiques et "Salons" du début de la Révolution (1789–1795), in: *Annales historiques de la Révolution française* 344,1 (2006), 63–92.
35 Gouges, Olympe de, *Séance royale: motion de monseigneur le duc d'Orléans, ou Les songes patriotiques dédiées à monseigneur le duc d'Orléans*, s.n. 1789, 6–7. "J'espère qu'un jour, les femmes pourront échapper aux horreurs de la misère par les récompenses qui sont dues aux talents. Et j'ose avancer, qu'en élevant leur sexe, on restaurera en même temps les mœurs."
36 Kulessa, Rotraud von, Between Defence and Affirmation: The Discursive Self-Representation of Eighteenth-Century Women Authors in France and Italy, in: *Portraits and Poses, Female Intellectual Authority, Agency and Authorship in Early Modern Europe*, ed. Beatrijs Vanacker and Lieke van Deinsen, Leuven, Leuven University Press 2022, 73–91, 78.
37 Gouges, Projet adressé à l'Assemblée Nationale, in: *Œuvres complètes, Tome IV,* 41–44.

> as a despot over a sex that is in full possession of its intellectual faculties, he claims to enjoy the revolution and demands his rights to equality, only to say nothing more about it.[38]

A declaration of principles and a plea for women, this text is now regarded as de Gouges' enduring legacy.[39] As a fervent advocate for strict equality, she sought to establish the inherent parity between men and women – an equality that she believed nature had originally bestowed, only for it to be distorted by societal conventions and patriarchal structures. She argued that this natural equality should be recognized and protected, particularly as women were willing to actively engage in "public affairs"and to contribute to the realization of republican ideals.[40] Her *Declaration* was a direct response to the male-dominated revolutionary leadership and aimed to demonstrate that they had not only overlooked but alienated an essential part of the population: women. By excluding women from the principles of the new republic, the revolutionaries acted against their own ideals of liberty, equality, and fraternity. Therefore, de Gouges' *Declaration* demanded a more inclusive society where women's voices and contributions were acknowledged and valued.

However, the National Assembly quickly settled the question of women's political rights. On August 27, 1789, the confirmation of the Lex Salica[41] allowed the establishment of the constitutional monarchy while simultaneously serving as a basis to effectively exclude women from political participation.[42] This then led to the adoption of male suffrage by the Convention in 1792, enacted by the 1793 constitution.[43] Even the women who had previously held political rights, such as those who had held a fief during the *ancien régime* and had thus been allowed to participate in the elections of the Estates General, were silenced politically.[44]

As outspoken as de Gouges was, she was not the only woman advocating for women's political rights. For example, in 1790, a delegation of women from Brittany stated: "There is not one word in the constitution regarding women."[45] Voices such as those of Théroigne de Mericourt, Etta

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[38] Gouges, Déclaration des droits de la femme et de la citoyenne, 51. "L'homme seul s'est fagoté un principe de cette exception. Bizarre, aveugle, boursouflé de sciences et dégénéré, dans ce siècle de lumières et de sagacité, dans l'ignorance la plus crasse, il veut commander en despote sur un sexe qui a reçu toutes les facultés intellectuelles, il prétend jouir de la révolution et réclamer ses droits à l'égalité, pour ne rien dire de plus."

[39] McMillan, *France and Women, 1789–1914*, 17–18.

[40] Bergès, Sandrine, A Republican Housewife: Marie-Jeanne Phlipon Roland on Women's Political Role, in: *Hypatia* 31,1 (2016), 107–122. Warman, Caroline (ed.), Olympe de Gouges (1748–1793), Declaration of the Rights of Woman and the Female Citizen, 1791, in: *Tolerance. The Beacon of the Enlighment*, ed. Ead. et al., Cambridge, Open Book Publishers 2016, 49–51.

[41] The Lex Salica was a set of legal principles established by the Salian Franks in the early medieval period. These included rules on inheritance that excluded women from inheriting the throne or even the transmission of the crown down the female line. See e.g. Stone, Rachel, *Morality and Masculinity in the Carolingian Empire*, Cambridge, Cambridge University Press 2011.

[42] Garaud, Marcel, *La Révolution et l'égalité civile*, Paris, Sirey 1953, 178.

[43] Hammersley, Rachel, Concepts of citizenship in France during the long eighteenth century, in: *European Review of History: Revue européenne d'histoire* 22,3 (2015), 468–485.

[44] Fauré, Christine, Doléances, déclarations et pétitions: trois formes de la parole publique des femmes sous la Révolution, in: *Annales historiques de la Révolution française* 344,1 (2006), 6–15.

[45] Assemblée Nationale. Présidence de M. le Baron de Menou. Séance du lundi 29 mars 1790 (1), in: *Archives parlementaires de 1787 à 1860. Recueil complet des débats législatifs et politiques des Chambres Françaises. 1. Sé-*

Palm d'Aelders, Madame Roland, and countless other female sans-culottes echoed the sentiments of women across France who were determined to assert their political rights and participate in the revolutionary process. These women courageously spoke out during meetings, assemblies, and through petitions, challenging norms that sought to exclude them from political participation and decision-making. Although de Gouges did not have personal contacts or friendship with these women, they were all fighting for the same cause.

The repression of women reached its peak during the Terror with the prohibition of women's clubs in the autumn of 1793. This draconian measure aimed to suppress women's collective organizing and activism, silencing their voices and limiting their ability to mobilize. Driven by her deep concern for women's rights, in her pamphlets de Gouges did not only fight for political rights but also discussed other issues, for example, her ideas on reforming family law.

2.2 Olympe de Gouges on Freedom as the Basis of the Family

The period of the French Revolution marked a significant time of change for families and family law. Reforms began as early as August 10, 1790, when the right of a husband to have his wife or children imprisoned or committed to a mental asylum became conditional upon court approval. The revolution in family law continued with the enactment of equality for children regardless of gender in inheritance law on April 8, 1791, which superseded local customs favoring men. Legal equality in marriage was also established in 1791, giving women equal power to men in household administration.[46] Furthermore, the Revolution gave women civil rights and legal personality, enabling them to sign contracts without their husbands' permission.[47] These new laws were perceived as implementations of natural law rather than the establishment of rights for women. However, for Olympe de Gouges, these steps towards legal gender equality and the protection of the vulnerable, like women and children, were insufficient, and she had ideas to propose on how to achieve further progress.

One of her most innovative ideas regarding the union of men and women can be found in her postscript to the *Declaration of the Rights of Woman*, in which she detached marriage from religion and social expectations to make it a civil contract she called the *Forme de contrat social de l'Homme et de la Femme* ("Form of Social Contract of Man and of Woman"). Her own experience of marriage strongly influenced her views. She believed that marriage should be a voluntary decision, and even in cases of love between two people, she saw no necessity for the bond of marriage, which she deemed "the tomb of trust and love."[48] By coupling Enlightenment thinking with social contract theory, de Gouges combined her personal experiences and philosophical insights to reconceptualize the union between individuals. She argued

rie, 1787 à 1799, Tome 12: 1790. 2 mars au 14 avril, Paris, Librairie administrative de P. Dupont 1881, 402. "On ne dit pas un seul mot des femmes dans la constitution."

46 Duhet, Paule-Marie, *Les femmes et la Révolution 1789–1794*, Paris, Julliard 1971, 77.

47 Ibid., 78.

48 Gouges, Déclaration des droits de la femme et de la citoyenne, 56. "le tombeau de la confiance et de l'amour".

that, just as individuals relinquish certain rights and obligations to benefit from society's protection, relinquishing one's freedom to bind oneself to another should benefit and protect one's assets and family. Her proposed social contract aimed to create communal property between a man and a woman to safeguard of their assets for the next generation in the family. This contract made no distinction between legitimate and illegitimate children nor between genders, treating all children equally. Consequently, all children could inherit equally upon the death of one of the contracting parties. Moreover, either party could terminate the contract at any moment. In the event of termination, assets would be divided equally between the contracting parties, with a reserve set aside for any children. De Gouges' conceptualization of a social contract between men and women was ahead of her time, as she applied contract theory to an institution that was until then deemed sacred. Her contemporaries quickly dismissed her ideas. However, two centuries later, at the end of the 20th century, special civil union contracts began to flourish worldwide. In France, the PACS, introduced on November 15, 1999,[49] represented a significant evolution in the legal recognition of relationships, providing a state-sanctioned civil contract for couples to organize their lives together while allowing common property. The PACS offers more flexibility than traditional marriage and is easier to terminate, as partners can dissolve the union with a simple letter to the city hall where the contract was signed. Though de Gouges' *Forme de contrat social* did not serve as a direct model for the PACS, the spirit is there, and it showcases how much her visionary proposal was ahead of her time. It also highlights the enduring relevance and resonance of her ideas in modern discussions.

Olympe de Gouges not only proposed an alternative to marriage, she was also a strong advocate for divorce. She championed this cause as early as July 11, 1789, in one of her first pamphlets,[50] and continued to advocate for divorce whenever possible. In *Le bon sens du Français* ("The Frenchmen's Common Sense") of February 1792, she directly called on the National Assembly to establish strict equality between husbands and wives and to enact divorce legislation:

> A decree that makes it clear that equality exists between husbands and wives, just as it does among all French individuals. A decree that guarantees each person their property and allows them to separate under the supervision of family tribunals, which are responsible for judging according to the light of reason – reason alone – and for safeguarding the interests of children and financial arrangements.[51]

In this text, de Gouges pleaded for two distinct spousal rights that, for her, were equally important: property division and divorce. Once again, the protection and free management of one's

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[49] Article 515–1 Code Civil.

[50] Gouges, *Séance royale*, 30–31.

[51] Gouges, Le bon sens du Français, in: *Œuvres complètes, Tome IV*, 59–61, 61."Un décret qui fasse comprendre que l'égalité est entre les époux et les épouses comme entre tous les individus français. Qui assure à chacun sa propriété et leur permette de se désunir sous l'inspection des tribunaux de famille, chargés de juger suivant les lumières de la raison, de la seule raison et de veiller aux intérêts des enfants et aux arrangements de fortune."

property was at the center. She not only firmly believed that all spouses should have the right to administer their property freely, they should also be able to exit their marriage contract when they deemed it necessary. Indeed, during the *ancien régime*, women could not hold property, at least not until they became a widow. De Gouges' philosophy on marriage, as much as her general philosophy, advocated for freedom whose only restriction was the common good of the state. Her understanding of the common good was quite broad: She also argued for a law forcing men to honor their marriage promises, with financial sanctions imposed in case of breach of promise.[52] She viewed the promise of marriage as a contractual agreement and believed men should be legally obligated to respect their promises or face financial sanctions. This kind of norm was already enforced by canon law in Spain and Portugal. De Gouges' philosophy of freedom could be summarized with the words of the later English philosopher, John Stuart Mill: "The freedom of one stops where the freedom of another begins." Collective concerns, in de Gouges' view, should take precedence over individual ones.

Following numerous petitions drafted by both women and men[53] as well as various pamphlets calling for it,[54] divorce was finally enacted by the law of September 20–25, 1792.[55] This law not only allowed divorce but also made marriage a civil contract, wholly detached from church and religion. Husbands and wives were now able to divorce on diverse grounds, including by mutual consent, due to character incompatibility or, in the case of a fault divorce, on the basis of one of seven different grounds (dementia, conviction for an infamous offense, extreme cruelty, immoral habits, abandonment of at least two years, absence of a minimum of five years, and emigration, i.e. if the spouse had fled France due to the Revolution). Each type of divorce had its own procedure.[56] For example, divorce by mutual consent could only be granted two months after a meeting of six family members. Divorce on the grounds of character incompatibility was even more complicated to get. It required three meetings of family or friends at intervals of one, two, and three months, respectively. Statistical studies on the number of divorces in the first years after the law came into force demonstrate a strong enthusiasm for divorce in urban areas. For example, during the first years, around 200 divorces were granted in cities like Lyon or Marseille, meaning

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52 Gouges, Déclaration des droits de la femme et de la citoyenne, 57.

53 Monsieur de Cailly, *Griefs et plaintes des femmes mal mariées*, n.p. 1789; Godard, Jacques, *Pétition des juifs établis en France, adressée à l'Assemblée nationale le 28 janvier 1790, sur l'ajournement du 24 décembre 1789*, Paris, Prault 1790.

54 Michael, Colette Verger (ed.), *Sur le divorce en France: vu par les écrits du dix-huitième siècle*, Genève, Editions Slatkine 1989.

55 For an overview of revolutionary divorce, see Desan, Suzanne, *The family on trial in revolutionary France*, Oakland (CA), University of California Press 2004; Hesse, Carla, *The other Enlightenment: How French women became modern*, Princeton (NJ), Princeton University Press 2003; Ngaire Heuer, Jennifer, *The Family and the Nation: Gender and Citizenship in Revolutionary France, 1789–1830*, Ithaca (NY), Cornell University Press 2018.

56 Vovelle, Michel, *La Révolution et l'ordre juridique privé. Rationalité ou scandale? Actes du colloque d'Orléans, 11–13 septembre 1986*, Paris/Orléans, CNRS/Université d'Orléans, PUF 1988, 312.

one in four marriages ended in divorce.[57] However, non-fault divorce did not stay part of the French legal corpus for long, as it was abrogated with the *Code civil* of 1804.[58]

Olympe de Gouges' pamphlets also advocated for another key reform in family law, this one concerning children and paternity, an issue that resonated deeply with her understanding of freedom. It was also once again influenced by her own life story. As the illegitimate daughter of an aristocrat who never acknowledged her nor supported her mother, de Gouges made it her life's mission to advocate for the compulsory recognition of children based solely on the mother's declaration of paternity. This idea permeates many of her pamphlets.[59] During the *ancien régime*, illegitimacy carried a strong stigma, as a consequence of which children born out of wedlock were frequently abandoned at hospitals, convents, and even in woods. Paternity suits for child support and recognition did not establish filiation between the child and the father; consequently, 'bastards' were by custom "out of the lineages" and could not inherit from their fathers.[60] In response to de Gouges' and other thinkers' calls to change this situation, the Convention adopted an act on November 2, 1793, granting illegitimate children the right to inherit and, if the father was unmarried, to take his name after his death.[61] Recognizing the importance of this change, the legislature made it retroactive to July 14, 1789, a highly symbolic date.[62] The law not only enacted formal equality among all children but also constituted a political project of wealth redistribution.[63] Sadly, de Gouges was already in prison and died the day after the law she had fought for so adamantly was passed, without knowing about it. However, it is safe to assume that she would not have been fully satisfied with the law, as its provisions were contingent upon the father being a bachelor and willing to admit paternity freely.

2.3 Olympe de Gouges on the Protection of the Vulnerable

Olympe de Gouges believed in protecting the most vulnerable, viewing it as the state's duty to safeguard its people, particularly those with least power. Her advocacy extended beyond a single category of person: She sought to aid all those who needed a voice. In her writings, she presented several proposals aimed at improving the lives of those in need, her blueprint for social justice.

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57 Dessertine, Dominique, Le divorce sous la Révolution: audace ou nécessité?, in: *La famille, la loi, l'état*, 312–321, 313.

58 *Code Civil des Français*, 21 mars 1804.

59 Gouges, *Séance royale*, 30–31.

60 Lefacheur, Nadine, Unwed mothers and family law in nineteenth-century France: the issues of paternity suits and anonymous delivery, in: *Family Law in Early Women's Rights Debates: Western Europe and the United States in the Nineteenth and Early Twentieth Centuries*, ed. Stephan Meder and Christoph-Eric Mecke, Köln/Weimar/Wien, Böhlau 2013, 84–104, 85.

61 Vovelle, *La Révolution et l'ordre juridique privé,* 379–387

62 Brinton, Crane, *French Revolutionary Legislation on Illegitimacy 1789–1804*, Cambridge (MA), Harvard University Press 1936, 26–28.

63 Boudouard, Laurence and Florence Bellivier, Des droits pour les bâtards, l'enfant naturel dans le débats révolutionnaires, in: *La famille, la loi, l'état*, 122–144, 122–129.

De Gouges' vision for social revolution starts with those affected by poverty. Due to her own childhood experiences, she could not bear people living in poverty and difficult conditions when something could be done to protect them. Interestingly, she always justified her sensitivity to the subject with an argument based on her kind heart and gender rather than referring to being raised in a petty-bourgeois family or to the terrible living conditions experienced by her own mother in old age. Her first revolutionary social project was conceived in 1788, before the outbreak of the Revolution, and dealt with the creation of "houses that would only be open in the winter for laborers without a job, old men, children without support,"[64] and widows. In such houses, which would be clean and well-managed, "we would keep workers busy during the harshest season, and those houses could be in charge of numerous services."[65] Although this idea was not implemented during the 1789 Revolution, it was realized, without giving de Gouges any credit, after the February Revolution of 1848. The government established the *Ateliers Nationaux* ("National Workshops") from February 27 to June 21, 1848, intending to assist Parisian workers. Under this scheme, the state would give unemployed workers tasks, organize and pay them. Their labor would be rigorously structured, with each unemployed worker part of an eleven-person team, a deliberate choice aimed at preventing potential worker rebellions.[66] However, due to political changes, the *ateliers* closed after only a few months, as the new government considered them a threat to the economic and political order.[67]

De Gouges' blueprint for social reform also addressed the vulnerability of women with a two-part project aimed at their protection and welfare. The first aspect of her plan, outlined in her *Projet utile et salutaire* ("Helpful and Useful Project") of April 1789,[68] expanded upon her 1788 idea to assist impoverished workers. She proposed the creation of a house for women "who live an honest life but are deprived of all help due to a reversal of fortune."[69] She envisioned this house as "a simple dwelling where cleanliness would be the only luxury."[70] Witnessing her mother's struggles in old age had made de Gouges acutely aware of the challenges faced by women living alone. Christian charity, which was the norm in those times, was not enough for her; she believed women should have the opportunity to live in dignity and in decent circumstances. However, de Gouges' paradoxical attitude toward women surfaces again, as she puts "living an honest life" at the forefront of her project. Thus, while advocating for greater rights and protections for women, she also imposed moral qualifications on

64 Gouges, Remarques patriotiques, in: *Œuvres complètes, Tome III,* 135–146, 141."des maisons qui ne seraient ouvertes que dans l'hiver pour les ouvriers sans travail, les vieillards sans force, les enfants sans appui."

65 Ibid. "On y occuperait les ouvriers dans les saisons les plus rigoureuses et ces maisons pourraient se charger de beaucoup d'entreprises."

66 Thomas, Émile, *Histoire des Ateliers Nationaux*, Paris, Michel Lévy frères 1848.

67 Hayat, Samuel, *Quand la République était révolutionnaire. Citoyenneté et représentation en 1848*, Paris, Éditions du Seuil 2014.

68 Gouges, Projet utile et salutaire, in: *Œuvres complètes, Tome III*, 157–163.

69 Ibid., 161. "pour toutes les femmes qui ont vécu dans une honnête aisance et qu'un revers de fortune prive de tout secours".

70 Ibid., 162. "une maison simple dont la propreté sera tout le luxe".

who should be entitled to such protections. Embedded within the prevailing moral framework of her time, de Gouges believed that only 'honest' women deserved to be protected by the state's institutions. Therefore, she distinguished between women who lived virtuous lives and those she deemed to have chosen immoral or dishonest paths. She was steadfast in her conviction that individuals should bear the consequences of their actions, particularly if these were perceived to be contrary to societal morality. By aligning herself with prevailing moral standards, de Gouges sought to uphold the integrity of her vision for women's rights and equality. However, in doing so, she also perpetuated the dominant contemporary matrix of thought towards women whose choices did not conform to the prevailing moral standards. Moreover, de Gouges believed that women who deviated from moral norms harmed not only themselves, but also undermined the collective condition of all women. By reinforcing men's negative perceptions of the female gender, they contributed to the broader societal disregard for women. As with any complex character, Olympe de Gouges could sometimes be ahead of her time, while at others remaining a product of her time.

Recognizing the health risks faced by women during childbirth, the second aspect of de Gouges' plan for women focused on the creation of maternity hospitals where all women could give birth safely. Historically, childbirth had primarily taken place at home, most often with the assistance of a midwife, and only desperate women had sought hospital deliveries.[71] However, due to insufficient hygiene, giving birth in hospitals that also treated other illnesses posed even more significant dangers for women, resulting in high maternal mortality rates.[72] De Gouges was not the first to adopt the idea of institutions specifically dedicated to childbirth; she might have been inspired by the first "lying-in hospitals" that had been established in the mid-18th century in Strasbourg, London, and various German cities. Those places were dedicated to all women giving birth and provided them with a safe structure to deliver their babies. In France, however, maternity hospitals developed only in the mid-20th century.

Olympe de Gouges' social vision reveals her commitment to a state-led approach to social justice, grounded in empathy for the vulnerable yet circumscribed by the moral standards of her time. Her proposals, from employment houses to maternity hospitals, showcase her innovative thought and nuanced advocacy for women's welfare. While at times limited by contemporary moral codes, de Gouges' efforts represent a progressive vision that sought systemic change, positioning her as a complex figure whose ideals resonate with modern calls for social equity.

2.4 Olympe de Gouges on Reform in the Administration of Justice

De Gouges' vision of social justice extended beyond creating a safer environment for the vulnerable; she also advocated for reforming the administration of justice, particularly in cri-

[71] Knibiehler, Yvonne, *Histoire des mères et de la maternité en Occident*, Paris, PUF 2004.
[72] Dobbie, B. M. Willmott, An Attempt to Estimate the True Rate of Maternal Mortality, Sixteenth to Eighteenth Centuries, in: *Medical History* 26,1 (1982), 79–90.

minal law. According to her, the reforms she proposed would enhance equality in dispensing justice by increasing its transparency and serving the additional purpose of public education. Amid the revolutionary fervor in France in 1790, arrests were becoming more frequent. While the revolutionaries worked on establishing a criminal code, de Gouges stressed the importance of educating the population about the law. In her view, the most effective approach to achieving this would be to actively involve the people in the administration of justice.

In her pamphlet dated May 26, 1790, de Gouges outlined her project of establishing people's tribunals.[73] She began by justifying her intervention in the legal field: "Gentlemen, simple natural concepts can sometimes offer designs for useful execution."[74] As a daughter of nature unconditioned by legal training, she asserted that she had to "come to the rescue of the public good."[75] Just as the military was subject to military courts, so "[t]he people must be the judge of the people. I therefore propose […] the creation of people's tribunals."[76] She then proceeded to explain the functioning of the system she envisaged.

The people's tribunals would be held publicly in designated squares, with every parish citizen participating, ensuring judgment was administered before and by peers. This new system would allow for broad representation and accountability by opening the administration of justice to all citizens. Trials would be held on Sundays from 8 a.m. to 1 p.m., accommodating the schedules of working people. Upon being accused, individuals would be transferred to a "prison for the people," where they would have 8 to 15 days to prepare their defense. They would have the right to select an advocate from the popular assembly, ensuring representation by someone of their choosing and from their community. The trial procedure would follow a precise schedule, with the accused being presented to the assembly, interrogated, and confronted with witnesses. After this initial phase, the assembly would have eight days to think about the case and then be asked to reach a judgment. Decisions would be made by a majority vote of the citizens in a public setting, ensuring transparency and accountability. To guarantee the integrity of the legal system, assembly members would be required to swear an oath to uphold the law and to judge their fellow citizens impartially and rigorously, particularly if citizens took it upon themselves to render justice on their own.[77] In de Gouges' opinion, this commitment to the rule of law and accountability would help maintain the integrity and fairness of the judicial process, ensuring that justice was served and upheld within the community. Moreover, it would yield a dual educational benefit. Through active engagement in the administration of justice, individuals would first acquire an understanding of the

[73] Gouges, Projet sur la formation d'un tribunal populaire et suprême en matière criminelle, in: *Œuvres complètes, Tome III*, 283–287.

[74] Ibid., 285. "des notions simplement naturelles peuvent quelquefois offrir des plans d'une exécution utile".

[75] Ibid. "venir au secours du bien public".

[76] Ibid., 286 "Le militaire est jugé par le militaire. Le peuple doit être juge du peuple. Je propose donc […] l'érection de conseils populaires."

[77] Ibid., 285–287.

law and its principles. Secondly, by enforcing the law themselves, they would become more circumspect when tempted to transgress it.

Olympe de Gouges' idea was not entirely novel; she drew heavily on historical precedents and knowledge she acquired and used in pursuit of improved social justice. The form of trial she proposed bore a resemblance to earlier methods of justice administration, characterized by public proceedings and judgments rendered by peers. It echoed, for example, the Merovingian practice of popular assemblies, known as *plaid* in French or *placitum* in Latin, where free men convened to dispense justice and advise the king.[78] Decisions were made by popular consensus, expressed through acclamation. A similar public system can be observed in the 13th century under Louis IX, who is traditionally represented as administering justice beneath an oak tree. De Gouges firmly believed in the power of popular endorsement for judicial decisions. However, her advocacy for judgment by one's peers may seem counter-revolutionary, as it implies a recognition of class distinctions. Although she praised the concept of judgment by peers, she did not precisely define its parameters. In her pamphlets, she mentioned only day laborers and non-bourgeois individuals. This once again reflects the paradoxical nature of de Gouges' thinking, blending elements of the *ancien régime* with revolutionary ideals. In this case, she prioritized equity over formal equality by proposing a judicial structure in which people would be judged differently based on their social status, while still advocating for equal treatment within status groups.

De Gouges' proposals regarding social justice were grounded in broader principles. While they showcase her practical approach to concrete problems, they also reflect a larger philosophy centered on participation in political rights and the administration of justice, on freedom within the family, and on safety and security, exemplified by her housing initiative for the vulnerable. De Gouges, however, had an agenda not only for the people but also for the state.

3. Olympe de Gouges and Politics: Advocating for the Common Good

Olympe de Gouges' pamphlets touched on all subjects that drew her attention. One subject she was particularly adamant about was how to "save" and "help" France; in short, she pushed the concept of the common good as far as she could. Recognizing the multifaceted nature of the challenges faced by the nation, she put forth proposals and solutions addressing both financial and political issues. Her political opinions evolved throughout the Revolution in response to the actions of the men in charge. One of her most influential works dealt with the question of state finance. In it, she formulated a proposal for a voluntary tax on the people to resolve the state deficit.

[78] Mathieu, Martial, *Histoire des institutions: l'ancienne France (V^e siècle–1789)*, Paris, LexisNexis 2013, 37–49.

3.1 Olympe de Gouges, Architect of Voluntary Taxation

The question of the national debt and, as a consequence, taxation was key in the early stages of the French Revolution. Olympe de Gouges' first political statement addressed the issue of taxation, and did so even before the French Revolution started. In her *Lettre au Peuple ou le Projet d'une Caisse Patriotique* ("Letter to the People or Project for a Patriotic Fund") of November 6, 1788, she developed a method of redressing the state deficit:

> What, then, is the means I would find suitable to free the State from its debts? It would be, it seems to me, a voluntary tax, of which the Nation would be proud. [...] [E]ach provincial intendant would be in charge of a patriotic fund [...]. [E]very citizen who would contribute to this fund, according to their means, the amount they would have willingly imposed upon themselves, would put their name in the register below the sum they had given to the public fund. With this precaution, we would be safe from the fear of embezzlement. [...] The market trader, as well as the housekeeper, would feel unparalleled satisfaction in seeing their name next to that of a prince of [royal] blood.[79]

De Gouges' tax proposal put a strong emphasis on its voluntary nature. As an added safeguard, the scheme would rely on transparency to prevent corruption and ensure accountability in allocating funds. De Gouges believed that every citizen should assist the state in eradicating its debt, much like one would help one's own family. To persuade people to share the national financial burden patriotically and equitably, each according to their means, de Gouges employed two arguments. Firstly, she appealed to a sense of familial duty and compassion, framing the contribution as a charitable act to secure a brighter future for France. The voluntary tax was to be understood as a moral obligation, as de Gouges emphasized the collective responsibility of citizens to assist the state in overcoming its financial challenges. Secondly, her argumentation appealed to the universal desire for recognition and equality. She highlighted how participation in the voluntary tax would elevate ordinary citizens to the same status as aristocrats and bourgeois elites, functioning as a tangible manifestation of equality and social cohesion. De Gouges' proposal for a voluntary tax reflected her understanding of human nature and her unwavering commitment to promoting equitability and fiscal responsibility in revolutionary France. Her innovative idea contributed to the ongoing discourse on financial reform and the role of civic engagement in shaping the nation's future.

Historical practices such as the tithe, in which laypeople contributed a portion of their income to the Catholic Church, may have influenced de Gouges' proposal. The dime, for instance, was a compulsory tax paid by the Third Estate. Like the medieval tithe, it involved laypeople contributing a portion of their income for religious purposes. De Gouges may have drawn inspiration

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[79] Gouges, Lettre au Peuple ou le Projet d'une Caisse Patriotique, in: *Œuvres complètes, Tome III*, 125–134, 130–131. "Quel est donc ce moyen que je trouverais convenable à libérer les dettes de l'État? Ce serait, il me semble, un impôt volontaire, dont la Nation s'applaudirait. […] Je voudrais […] que chaque intendant des provinces fût chargé d'une caisse publique. […] Chaque citoyen qui apporterait à cette caisse, suivant ses moyens, le tribut qu'il aurait bien voulu s'imposer, mettrait son nom sur le registre en bas de la somme qu'il aurait remise à la caisse publique. Avec cette précaution, on serait à l'abri de craindre la malversation. […] L'homme de la halle, ainsi que la femme de charge éprouveraient une satisfaction sans égale de voir leur nom à côté de celui d'un prince du sang."

from these historical precedents and sought to extend the principle to all citizens and to apply it to the state rather than to religious institutions. By proposing a voluntary tax to which all citizens would contribute according to their means, she aimed to foster a sense of civic duty and collective responsibility toward the nation's financial stability akin to the religious obligation of tithing.

De Gouges' *Projet*, penned on November 6, 1788, presaged events that unfolded less than a year later. In the spring of 1789, financial problems caused by increasing state debts and famine led to the start of the people's revolution against French feudal society. De Gouges firmly believed that her proposed voluntary contribution held the key to addressing these pressing issues. She promoted it tirelessly, featuring it prominently in the majority of her writings from 1788 and in seven of the twelve pamphlets she wrote in 1789. Her attachment to this project is evident in the fervent manner in which she wrote about it, and she even invoked it during her trial in 1793. The voluntary tax appears to be one of the few initiatives she ardently championed that was realized during her lifetime. Indeed, it led to two tangible outcomes: not only a patriotic tax, but also a number of voluntary donations by women.

The implementation, with some adaptations, of de Gouges' proposal for a voluntary tax marked a significant step by the National Assembly toward addressing France's financial difficulties. Enacted on October 6, 1789, the *contribution patriotique,* to be paid over a period of three years, was designed to be proportional to individuals' income and assets, with citizens required to contribute 25% of their earnings and 2.5% of their valuables, such as jewelry, gold coins, and silverware.[80] However, after the first year, the annual contribution was reduced to 8.33%.[81] While the patriotic tax initially appeared promising as a means of generating revenue to alleviate the state deficit, it ultimately fell short of expectations due to a critical flaw that neither de Gouges nor the Assembly had foreseen. The tax declaration and property assessment relied solely on the word of citizens, without any mechanism for verifying the information provided. This lack of oversight created opportunities for individuals to underreport their income and assets, resulting in a significant shortfall in revenue collection. As a result, the tax failed to yield the anticipated funds, ultimately providing only five million francs instead of the expected triple amount over the three-year period.[82]

The second action inspired by de Gouges' proposal of a voluntary tax was a spontaneous donation of jewelry by the daughters and wives of Parisian artists on September 7, 1789. Moved by the spirit of civic duty and patriotism,[83] these women came together to offer their valuables as a gesture of support for the nation during its time of need. Their selfless act demonstrated a profound

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[80] Assemblée Nationale. Présidence de M. Mounier. Séance du mardi 6 octobre 1789, au martin (1). Décret du 6 octobre 1789 sur la contribution patriotique, in: *Archives parlementaires de 1787 à 1860. Recueil complet des débats législatifs et politiques des Chambres Françaises 1. Série, 1787 à 1799, Tome IX: 1789. 16 sept. au 11 nov.*, Paris, Librairie administrative de P. Dupont 1877, 349–354, 350–352.

[81] Braesch, F., *Les exercices budgétaires 1790 et 1791 d'après les comptes du Trésor*, Savenay (Loire-Inférieure), Roumegoux & Cie 1934, 53.

[82] Bruguiere, Michel, *Gestionnaires et profiteurs de la Révolution: L'administration des finances françaises de Louis XVI à Bonaparte*, Paris, O. Orban 1986.

[83] *Révolutions de Paris. Dédiées à la nation, Tome IX:* Détails du Samedi 5 Septembre 1789, Paris 1789, 19.

commitment to the common good and a willingness to make personal sacrifices to assist the state. In response to this inspiring display of solidarity, de Gouges penned a pamphlet applauding the women's initiative and urging others to follow their example.[84] Her plea was heard, and shortly after, a delegation of the women *de la Halle*[85] offered the Assembly their cash holdings as well as their jewelry and silverware[86] to help reduce the state debt. This gesture of generosity, which the women explicitly called a patriotic gift, highlighted the widespread appeal of de Gouges' message and the willingness of some ordinary citizens to contribute to the common good in times of crisis.

De Gouges' proposals to address the state debt extended beyond voluntary contributions. She also suggested the creation of a special tax on luxury products, an idea reflecting her belief that spending on non-essential items should be redirected towards supporting the common good.[87] In her view, luxury goods and services were superfluous and wasteful, especially during times of economic hardship for the state. She argued that individuals should prioritize contributing their resources to the state instead of indulging in lavish expenditure. She proposed a special tax on luxury products to incentivize responsible spending and redirect financial resources towards addressing the state debt and supporting essential services. As de Gouges' ideas on reforming tax law show, one of the key notions of her philosophy was that moderation was a virtue, particularly in times of need. She believed that individuals should demonstrate restraint and solidarity by prioritizing the community's welfare over personal indulgence in order to foster a culture of collective responsibility and mutual support. Overall, de Gouges' multifaceted approach to addressing the state debt reflects her deep commitment to social justice, fiscal responsibility, and democratic principles. Her proposals aimed not only at alleviating immediate financial pressures but also at fundamentally transforming the relationship between citizens and the state in order to foster a more equitable and resilient society.

3.2 Olympe de Gouges from Monarchist to Republican

Olympe de Gouges' political thought extended beyond advocating for social justice. Until 1792, she was also a fervent monarchist who advocated for the king. Indeed, when reading her pamphlets, the defense of King Louis XVI, the monarchy, and the idea of a constitutional

[84] Gouges, Action héroïque d'une française ou La France sauvée par les femmes, in: *Œuvres complètes, Tome III*, 207–210.

[85] The *femmes de la Halle* were the female market vendors of Paris, known for their strong presence in the central markets and their influence in public and political life. These women, often from the working class, played a crucial role in revolutionary events due to their close connection with the daily struggles of the people.

[86] Bibliothèque nationale de France, Département Estampes et photographie, RESERVE FOL-QB-201 (119); Assemblée Nationale. Présidence de M. Victor Broglie. Séance du samedi 27 août 1791, au soir (1), in: *Archives parlementaires. 1. Série, 1787 à 1799, Tome 29: 1791. 29 juillet au 27 août*, Paris, Centre National de la Recherche Scientifique 1888, 754–755; Gazette Nationale ou le Moniteur Universel, No. 242: mardi 30 août 1791. Troisième année de la Liberté, in: *Réimpression de l'ancien Moniteur (Mai 1789–Novembre 1799). Tome Neuvième*, Paris, Le Bureau Central 1841, 521–528, 523.

[87] Gouges, Projet d'impôt étranger au peuple et propre à detruire les excès du luxe et augmenter les finances du trésor réservé à acquitter la dette nationale, in: *Œuvres complètes, Tome III*, 147–150.

monarchy emerge as among her most important concerns. Her position seems to have evolved only when, in 1791, she felt she could no longer justify the actions of the royal family against what she saw as the common good.

Already from her first political pamphlet in 1788 onwards,[88] de Gouges' texts reveal her perspective on the monarchy and the governance of France. In her early works, she portrayed the king as a benevolent father figure whose primary concern was the well-being of his subjects, a view close to the traditional one of the monarchy during the *ancien régime*, when the king was perceived as the ultimate patriarch responsible for the welfare of his realm. While de Gouges trusted the institution, she was not blind to its problems. She argued that the current king should and could not be held responsible for the current state of France. In her view, "the damage was done before his ascension to the throne,"[89] and had then been exacerbated by poor advice from the court and royal counselors. She was confident that, with the proper guidance and support, the monarch would be able to address the issues.

As the Revolution unfolded, de Gouges' position became more nuanced. She realized that it would be a long and difficult process for the king to accept sharing his power,[90] and even addressed a pamphlet to the queen, urging her to support the Revolution and to persuade the king to embrace a system of governance that incorporated the voices and needs of the people.[91] This was the only way, in her view, to end the cycle of violence started by the Revolution.[92] De Gouges' position balanced her allegiance to the Crown with her support for revolutionary ideals. She believed that a constitutional monarchy with checks and balances was the most viable path forward, offering a means to reconcile the ideals of the Enlightenment with the need for stability and order.[93]

She was, as she put it in 1791, a "patriotic royalist, constitutional royalist,"[94] but as events unfolded, she adjusted her stance. In 1792, she called herself "Gouges, at the moment moderate royalist and patriot for life, until death."[95] Her shifting political affiliations reflected the broader uncertainties and complexities of the revolutionary era, where individuals grappled with conflicting loyalties and changing allegiances. In many ways, de Gouges epitomizes the paradoxical nature of political allegiances during the French Revolution. While she celebrated the progressive ideals and positive changes brought by the Revolution, she also maintained a deep-seated attachment to the monarchy and its traditions. Her pragmatic approach and willingness to adapt her views in response to changing circumstances mirrored the ambivalence and uncertainty experienced by many French citizens during this tumul-

88 Gouges, Projet d'une Caisse Patriotique.
89 Ibid., 127. "Le mal était fait avant son avènement au trône."
90 Gouges, Épitre dédicatoire à sa majesté Louis XVI, in: *Œuvres complètes, Tome III,* 197–200.
91 Gouges, Adresse à la Reine, in: *Œuvres complètes, Tome IV*, 21–23, 21.
92 Ibid., 22.
93 Gouges, Sera-t-il roi ou ne le sera-t-il pas?, in: *Œuvres complètes, Tome IV*, 33–40.
94 Ibid., 33. "royaliste patriote, royaliste constitutionnelle".
95 Gouges, Lettre adressée aux rédacteurs du *Thermomètre du Jour*, in: *Écrits politiques. Tome 2*, 49–51, 51. "Gouges actuellement royaliste modérée et patriote à la vie, à la mort".

tuous period. After the king's flight to Varennes, de Gouges felt she could no longer defend him, though she remained generally supportive of monarchy as a form of government. By attempting to leave Paris, the king had made an unpatriotic decision; on the other hand, she feared the danger of leaving men to rule themselves without a king.[96] The theory of "the King's two bodies" helped her to justify her attachment to the monarchy while condemning the king.[97] According to theorists of absolute monarchy, the king had two bodies, a physical, mortal one and a political one embodied by the physical body when he was in power. Function and person had to be distinguished to ensure the perpetuity of the Crown. While this idea enabled de Gouges to remain an adherent of the monarchy despite losing faith in its current representative, she also employed it in her defense of the deposed monarch, and even offered herself as his advocate for his trial:

> I believe Louis is at fault, as king, but stripped of this proscribed title, he ceases to be guilty in the eyes of the republic. […] He was weak; he was deceived: He deceived us, he deceived himself; this, in two words, is his trial. […] We have abolished the monarchy. People, throne, he has lost everything. Let us be great enough to let him live. […] Let us be republicans by exiling Louis Capet, and let all the rulers tremble. What people, after this act of heroism, will dare to take up arms in defense of tyrants against a magnanimous nation that knows how to conquer and to forgive?[98]

After the trial, however, being a citizen before all and a believer in the Enlightenment, her position of magnanimity toward the king changed utterly. De Gouges was nothing if not a pragmatic woman. Hence, she considered that, if the king had to be beheaded, his death had to benefit France and the Revolution. In her *Arrêt de Mort que présente Olympe de Gouges contre Louis Capet* ("Death Sentence against Louis Capet Presented by Olympe de Gouges") she suggested:

> I would therefore wish that Louis, his wife, his children, and his entire family be chained in a carriage and brought into the midst of our armies, between the enemy's fire and our artillery. If the crowned thieves persist in their crime and refuse to recognize the independence of the French Republic, I will seek the honor of being the first to light the fuse of the cannon that will rid us of this murderous and

[96] Gouges, Olympe de, Aux fédérés, in: *Écrits politiques. Tome 2*,143–145; Ead., Lettre adressé aux rédacteurs du *Thermomètre du Jour.*

[97] Kantorowicz, Ernst H., *The King's Two Bodies: A Study in Mediaeval Political Theology*, Princeton (NJ), Princeton University Press, 2016; Benigne Bossuet, Jacques, *Politique tirée des propres paroles de l'Écriture sainte: d'après les imprimés et les manuscrits originaux purgés des interpolations et rendus à leur intégrité par F. Lachat 1864*, Paris, Dalloz 2003.

[98] Gouges, Olympe de Gouges. Défenseur officieux de Louis Capet, in: *Écrits politiques*. *Tome 2*, 191–194, 192–194. "Je crois Louis fautif, comme roi; mais dépouillé de ce titre proscrit, il cesse d'être coupable aux yeux de la république. […] Il fut faible, il fut trompé: il nous a trompés, il s'est trompé lui-même: voilà en deux mots son procès. [...] Nous avons aboli la royauté. Peuple, trône, il a tout perdu. Soyons assez grands pour lui laisser la vie. […] Soyons républicains, en exilant Louis Capet, et que tous les potentats frémissent. Quel peuple, après cet acte d'héroïsme, osera s'armer pour la défense des tyrans, contre une nation magnanime qui sait vaincre et pardonner?"

> tyrannical family. Louis' death will be most glorious; it will be worthy of a free people. Then, when speaking of the French, no one will say they were shameful murderers, but rather generous men.[99]

Like most people, de Gouges felt betrayed by the king's behavior and his dismissal of the Revolution. Despite how strongly she believed in a monarchical system, she could not excuse all the king's actions: "And I, too, legislators, I vote for the death of the tyrant."[100] Her evolving stance on the monarchy reflected broader shifts in political consciousness during the revolutionary period. While she initially espoused a traditional view of monarchy, her experiences and observations led her to reassess her beliefs and adopt a more critical perspective. Ultimately, her writings demonstrate the complexities of political thought during a period of profound upheaval and transformation in French history.

In one of her final political pamphlet, *Les trois urnes ou le salut de la Patrie* ("The Three Urns, or the Salvation of the Homeland"), dated July 17, 1793, de Gouges addressed the post-monarchical era.[101] With this pamphlet, she expressed her disbelief that France was still shaken by quarrels now that the "tyrant king was dead." Recognizing the need for a decisive course of action to protect the nation's future, she proposed a bold initiative to foster unity and democratic governance. She argued that the Convention should pass a decree instituting a one-month cease-fire to give citizens time to vote in a referendum on the organization of the state. The referendum would be conducted in each *département* and pose the straightforward question what form of government the people desired. Options were to include an "indivisible and unified" republic, a federalist system, or a return to monarchy. De Gouges' proposal emphasized the importance of individual choice and democratic participation in shaping the nation's destiny. Each citizen would be empowered to make their selection freely, with the people's collective will determining the course of governance. Once the ballots were counted and the French people's choice known, contesting it would be impossible. As a safeguard, de Gouges proposed a subsequent oath-taking ceremony during which citizens would pledge their allegiance to the democratically chosen form of government. The ceremony would be followed by a civic celebration to mark the end of internal conflicts. Beyond its immediate domestic implications, de Gouges envisaged her referendum to serve as a beacon of democratic progress, setting an example for other nations grappling with questions of governance. By demonstrating the power of democracy to resolve internal conflicts and forge a path toward unity, she hoped to inspire similar movements abroad and to contribute to the global advancement of democratic ideals. In essence, her proposal in *Le trois urnes* repre-

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[99] Gouges, Arrêt de Mort que présente Olympe de Gouges contre Louis Capet, in: *Écrits politiques, Tome 2*, 201–204, 204. "Je voudrais donc que Louis, que sa femme, ses enfants et toute sa famille fussent enchaînés dans une voiture, et conduits au milieu de nos armées, entre le feu de l'ennemi et notre artillerie. Si les brigands couronnés persistent dans leur crime, et refusent de reconnaître l'indépendance de la république française, je briguerai l'honneur d'allumer, la première, la mèche du canon qui nous délivrera de cette famille homicide et tyrannique. La mort de Louis sera trop glorieuse, elle sera digne d'un peuple libre; alors on ne dira plus, en parlant des Français, qu'ils furent de honteux assassins, mais des hommes généreux."

[100] Gouges, Arrêt de Mort, 201. "Et moi aussi, législateurs, je vote la mort du tyran."

[101] Gouges, Les trois urnes, ou le salut de la patrie, par un voyageur aérien, in: *Écrits politiques*, *Tome 2*, 243–248.

sented a visionary attempt to reconcile societal divisions and establish a democratic framework for governance in post-monarchy France. Though her vision ultimately remained unrealized, its principles of democratic participation and collective decision-making still stand as pillars of political progress and societal cohesion. Her idea could have had a significant impact and may even have been implemented if she had written it just a few days earlier. As was typical of de Gouges, she wrote on the spur of the moment, unaware that the first republic had been proclaimed by the Assembly shortly before. Because *Les trois urnes* could thus be interpreted as challenging the Assembly's decision, the Robespierre government seized upon the pamphlet as grounds for imprisoning and ultimately executing her.

De Gouges firmly believed that to restrain the selfishness and violence of men, they needed to be subject to a higher power. "I predict that the destruction which fundamentally alters the nature of our government can only be disastrous to us."[102] She repeated this prophecy on March 1, 1792, when she warned: "Citizens, prepare yourselves to see scaffolds, gallows erected in all the streets of Paris. The only mercy that could be granted to moderate patriots will be to imprison them in new Bastilles."[103] On that day, she was already aware that, rather than bringing the promised freedom, the Revolution had resulted in death and destruction, and would continue to cause more.

By the last year of her life, Olympe de Gouges could be described as a politically moderate Girondin with a strong sense of social justice. She upheld high moral standards to ensure the common good, believing that political representatives should be guided by the highest virtue and held accountable by the sovereignty of the law for even the smallest mistakes.[104] Just as she had expected the king to decide for the common good, she held political men to the same standard. When Maximilien Robespierre[105] rose to power, she did not hesitate to oppose him. Robespierre, a lawyer from Arras who became a deputy at the Estates General in 1789, initially defended liberal ideas such as universal suffrage and the abolition of slavery. However, as the Revolution progressed, his views shifted, and he emerged as the leader of the Montagnards, who dominated the National Convention from 1793 to 1794. They represented the interests of the urban poor and the sans-culottes, advocated for radical social and economic reforms, and played a central role in the Terror, during which they used revolutionary tribunals and executions to eliminate perceived enemies of the republic. Robespierre's disdain for the bourgeoisie and his uncompromising stance against corruption earned him the epithet "the Incorruptible." Traumatized by a poor childhood, he strongly disliked the bourgeoisie and fought relentlessly against bribery. He eventually established a quasi-dictatorship as head of the Comité de santé public in 1793 and oversaw the Terror, one of the bloodiest periods in French history. In less than two years, 50,000 people were

[102] Gouges, Départ de Monsieur Necker et de Madame de Gouges, 281. "Je prédis que toutes ces destructions, qui changent totalement la nature de notre gouvernement, ne peuvent que nous être funestes."

[103] Gouges, Lettre adressée aux rédacteurs du *Thermomètre du Jour*, 50. "Citoyens, préparez-vous à voir les échafauds, les potences dressées dans toutes les rues de Paris. La seule grâce qu'on pourra faire aux patriotes modérés, sera de les enfermer dans de nouvelles bastilles."

[104] Gouges, Grande éclipse du soleil jacobiniste et de la lune feuillantine …, in: *Œuvres complètes, Tome IV*, 93–98.

[105] Fleischmann, Hector, *Les femmes et la Terreur*, Paris, Librairie Charpentier et Fasquelle 1910.

beheaded, sometimes without a trial. Robespierre himself became one of its victims when he was beheaded on July 28, 1794.

Recognizing the danger posed by Robespierre, de Gouges publicly attacked him in a letter in 1792, just before Louvet called on him to defend himself in front of the Convention. In her pamphlet, de Gouges described Robespierre as a dehumanized monster: "Your breath poisons the pure air we are currently breathing: Your wavering eyelid expresses, despite yourself, all the depravity of your soul, and each of your hairs carries a crime."[106] She warned her readers of the dire consequences facing Paris if he remained unchecked. Despite Robespierre's widespread support at the time, especially among women[107] – he was even endorsed by Madame Roland,[108] who described him as being "among the small number of courageous men, always faithful to their principles"[109] – de Gouges was no dupe. She could see the dangerous path France was taking under his leadership. For this reason, she castigated him once more, only a few days after her first attack on him: "Your ambition seems to be preparing an ominous music. I may be wrong; forgive me: I am a fanatic lover of my country."[110] She remained resolute in her opposition, targeting Robespierre again a few days later and offering to join him in a symbolic act of purification in the Seine, both jumping into the river attached to a cannonball.[111] She wrote: "Your death will calm the spirit, and your pure sacrifice will disarm the sky,"[112] expressing her belief that Robespierre's demise would bring peace and redemption to France.

Olympe de Gouges was arrested on July 20, 1793. The tribunal used her pamphlet *Les trois urnes* as justification for her arrest, accusing her of being anti-patriotic due to her suggestion of an alternative form of government to the republic. Her pamphlet was singularly ill-timed, as the day before it was published, on July 16, the Convention had – unbeknownst to de Gouges – passed a decree prohibiting any writings advocating for any state organization other than the newly established republic.[113] While in prison, she authored two pamphlets detailing how the Convention

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106 Gouges, Pronostic sur Maximilien Robespierre, par un animal amphibie. Portrait exact de cet animal, in: *Écrits politiques, Tome 2,* 169–173, 170. "Ton souffle méphétise l'air pur que nous respirons actuellement: ta paupière vacillante exprime malgré toi toute la turpitude de ton âme, et chacun de tes cheveux porte un crime."

107 Shusterman, Noah C., All of His Power Lies in the Distaff: Robespierre, Women and the French Revolution, in: *Past & Present* 223,1 (2014), 129–160, 131.

108 Vázquez, Lydia, Marie-Jeanne Roland: une âme forte au milieu des Pygmées, in: *Littérature* 198 (2020), 33–46, 44.

109 Quoted in Shusterman, All of His Power Lies in the Distaff, 131: "parmi le petit nombre d'hommes courageux, toujours fidèles à leurs principes".

110 Gouges, Réponse à la justification de Maximilien Robespierre, adressée à Jérôme Pétion, par Olympe de Gouges, in: *Écrits politiques, Tome 2*, 163–168, 164. "[T]on ambition semble nous préparer une musique bien lugubre. Je puis me tromper; pardonne-moi: j'ai le fanatisme de l'amour de ma patrie, comme tu possèdes celui d'une ambition particulière."

111 Ibid., 167–168.

112 Ibid., 168. "Ta mort calmera les esprits, et le sacrifice d'une vie pure désarmera le ciel."

113 Blanc, Olivier, *La Dernière Lettre: Prisons et Condamnés de la Révolution, 1793–1794*, Paris, R. Laffont 1984, 157.

mistreated her: She was denied the right to legal representation, as the judge deemed her well-versed enough in worldly matters not to require assistance.

During her trial, she repeatedly requested to be judged based on the entirety of her political writings, confident that they would prove her innocence.[114] An observer noted that as the charges against her were read, she "repeatedly joined her hands and rolled her eyes towards the ceiling, then with an expressive gesture would suddenly show surprise, then, looking straight into the audience, smile."[115]

On November 3, Olympe de Gouges was beheaded after expressing one last time, with her final words, her belief in the French people: "Children of the fatherland, you will avenge my death."[116]

4. Conclusion

Any assessment of de Gouges' influence on the legislative enactments that seemed to implement (elements of) policies she proposed is hampered by the fact that no credit was ever given to her explicitly. While direct evidence linking her proposals to revolutionary legislation may thus be lacking, her advocacy for women's rights, social justice, and democratic principles indubitably contributed to the broader discourse of the French Revolution. As so often, male contemporaries refused to acknowledge any connection between their proposals or enactments and the ideas and arguments put forward by women. Societal attitudes towards women and their perceived place in public life posed significant barriers to women getting the credit their advocacy and intellectual contribution deserved.

Olympe de Gouges was a prominent and influential figure who faced significant challenges as a woman advocating for her ideas. As she said herself as early as May 1789:

> [T]he most extravagant [of my calumniators] claim that my works cannot be mine and that I have the foolish pride to adorn myself with peacock feathers – that there is too much energy and knowledge of the law in my writing for them to be the work of a woman.[117]

Due to her relative visibility as a woman daring to speak up, de Gouges faced resistance and criticism, most of which revolved around two points, her gender and her education, or lack thereof. The criticisms based on her gender can be summarized using the words of Louis-Sebastien Mercier, published for the first time in 1788:

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114 Vanpee, Janie, Performing Justice: The Trials of Olympe de Gouges, in: *Theatre Journal* 51,1 (1999), 57–65.

115 Vanpee, *Performing Justice,* 65.

116 Blanc, *Olympe de Gouges*, 91. "Enfants de la patrie, vous vengerez ma mort."

117 Gouges, Avis pressant ou Réponse à mes calomniateurs, in: *Œuvres complètes, Tome III*, 171–176, 175. "Les plus extravagants assurent que mes ouvrages ne m'appartiennent pas et que j'ai le sot orgueil de me parer des plumes de paon, qu'il y a trop d'énergie et de connaissance des lois dans mes écrits, pour qu'ils soient le travail d'une femme."

> [A]s soon as women publish their work, they first have against them most of their gender, and soon almost all the men. A man will always love the beauty of a woman better than her spirit because everybody can enjoy it. A man would want the woman to possess enough spirit to hear her, but not to raise her to compete with him and show equality of talent…[118]

The revolutionaries soon decided the place of women and restricted their level of participation; however, women did not stop raising their voices. De Gouges was a unique voice but not the only one. Some women took some less publicly known actions, such as the women of the countryside who voted in the election of January–March 1790.[119] As for the other public voices, the historian Carla Hesse found 329 female authors for the period 1789–1800,[120] including Olympe de Gouges, Théroigne de Méricourt, and Louise de Kéralio who was publishing a journal from 1789 to 1791. Until 1793, numerous women were also part of women's political clubs; interestingly, the majority of the mixed political clubs were outside of Paris.[121]

The second major criticism de Gouges encountered focused on her lack of formal education, which discredited her in the eyes of some of her contemporaries. Consequently, most of the time – and again typical for writers of her gender – responses to her publications focused on her character and life rather than the texts' contents and ideas. The frustration of not being truly heard shines through de Gouges' productions. Despite that, she was undoubtedly a strong voice of contestation, and as much as she was dismissed, she was also considered dangerous enough by the men in power to be beheaded in 1793. In fact, she was only the second woman to be beheaded by the Revolution, just a few weeks after Marie-Antoinette.

Ultimately, Olympe de Gouges emerges as a figure of profound complexity, characterized by paradoxes and contradictions reflective of the turbulent times in which she lived. While she faced criticism and labels ranging from unpatriotic to uneducated, her legacy today primarily revolves around her role as one of the first French feminist voices. However, her influence and contributions extend far beyond the realm of feminism. She believed in women's political rights while holding women to the highest moral standard. Her understanding of representation did not stop at women, however, as her proposal for a new administration of justice showcases. She also fought for equality with her proposal of a voluntary patriotic tax and her suggestions regarding new marriage and family laws. She was a champion of freedom, whether in the family or in the choice of governmental organization. Social justice was at the core of her philosophy, and her pamphlets provide many examples, such as when she developed solutions to ensure the safety of the most vulnerable. Moreover, her proposals for a new administration of justice, voluntary patri-

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118 Mercier, Louis-Sebastien, *Le Tableau de Paris*, ed. by Jeffry Kaplow, Paris, Éditions La Découverte 1992, 166–167. "Dès que les femmes publient leurs ouvrages, elles ont d'abord contre elles la plus grande partie de leur sexe, et bientôt presque tous les hommes. L'homme aimera toujours mieux la beauté d'une femme que son esprit, car tout le monde peut jouir de celui-ci. L'homme voudra bien que la femme possède assez d'esprit pour l'entendre, mais point qu'elle s'élève, jusqu'à rivaliser avec lui et montrer l'égalité de talent..."

119 Leuwers, Hervé, *La Révolution française*, Paris, PUF 2020, 142.

120 Hesse, *The Other Enlightenment*.

121 Leuwers, *La Révolution française*, 144.

otic tax, and marriage and family law reforms demonstrate her dedication to shaping a more just and equitable society. She was an ardent defender of freedom, whether in familial relationships or governmental structures, and consistently sought to ensure the safety and well-being of the most vulnerable members of society. Her enduring legacy as a fearless advocate for equality and justice reminds us of the power of raising our voices. Full of paradox and layers, Olympe de Gouges was indeed an advocate of women's rights, but not only: She was also a thinker, advocate, politician, and legal reformer, among many of the hats she was wearing. She had her own philosophy and agenda that she was advertising. But most of all, she was a strong voice that would not be silenced despite all the criticisms she faced.

> "Que de maux j'aurais prévenus, si l'on avait voulu m'écouter ! Que de sang on aurait épargné, si l'on avait voulu me croire ! Et nous n'en serions pas moins républicains."[122]

[122] Gouges, La fierté de l'innocence ou Le silence du véritable patriotisme, in: *Œuvres complètes, Tome IV*, 133–137, 135. "How many evils I would have prevented if they had only listened to me! How much blood would have been spared if they had only believed me! And we would be no less republican for it."